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Frank C. Eisenschenk, Ph.D., Patent Attorney

INFORMATION DISCLOSURE STATEMENT  
Examining Group 1641  
Patent Application  
Docket No. UF-299XC1  
Serial No. 10/081,051

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Padmavathi Baskar  
Art Unit : 1641  
Applicant(s) : Anthony F. Barbet, William M. Whitmire, Sondra M. Kamper, Bigboy H.  
Simbi, Roman Reddy Ganta, Annie L. Moreland, Duncan M. Mwangi,  
Travis C. McGuire, Suman M. Mahan  
Serial No. : 10/081,051  
Filed : February 20, 2002  
Conf. No. : 1773  
For : EHRlichia RUMINANTIUM POLYPEPTIDES, ANTIGENS, POLYNUCLEOTIDES,  
AND METHODS OF USE

Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.56, 1.97, AND 1.98

Sir:

In accordance with 37 C.F.R. § 1.56, the references on the attached form PTO/SB/08 are  
being brought to the attention of the Examiner for consideration in connection with the  
examination of the above-identified patent application. Copies of the cited documents are  
enclosed.

This information is being submitted prior to the mailing of a first office action on the  
merits.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with initials or other appropriate marks. If any additional fee is required, or to credit any overpayment, please use Deposit Account No. 19-0065.

Applicants respectfully assert that the substantive provisions of 37 C.F.R. §§ 1.56, 1.97, and 1.98 are met by the foregoing statements.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

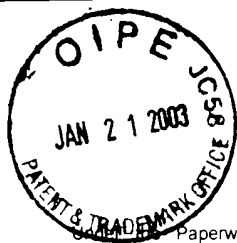
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Attachments: Form PTO/SB/08A & B (6 pages)  
Copies of references cited (56)



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Sheet

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### Complete if Known

Application Number	10/081,051
Filing Date	February 20, 2002
First Named Inventor	Anthony F. Barbet
Art Unit	1641
Examiner Name	Padmavathi Baskar
Attorney Docket Number	UF-299XC1

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### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	U1	US-4,879,213	11-07-1989	Fox <i>et al.</i>	
	U2	US-5,183,740	02-02-1993	Ligler <i>et al.</i>	
	U3	US-5,561,071	10-01-1996	Hollenberg <i>et al.</i>	
	U4	US-5,565,335	10-15-1996	Capon <i>et al.</i>	
	U5	US-5,643,570	07-01-1997	Theofan <i>et al.</i>	
	U6	US-5,712,170	01-27-1998	Kouvonen <i>et al.</i>	
	U7	US-5,750,352	05-12-1998	Vogelstein <i>et al.</i>	
	U8	US-5,753,439	05-19-1998	Smith <i>et al.</i>	
	U9	US-5,783,441	07-21-1998	Carl <i>et al.</i>	
	U10	US-5,843,464	12-01-1998	Bakaletz <i>et al.</i>	
	U11	US-5,990,275	11-23-1999	Whitlow <i>et al.</i>	
	U12	US-6,025,338	02-12-2000	Barbet <i>et al.</i>	
	U13	US-6,121,424	09-19-2000	Whitlow <i>et al.</i>	
	U14	US-6,214,545	04-10-2001	Dong <i>et al.</i>	
	U15	US-6,251,872	06-26-2001	Barbet <i>et al.</i>	
	U16	US-6,277,375	08-21-2001	Ward	
	U17	US-6,319,691	11-20-2001	Pang	
	U18	US-			
	U19	US-			
	U20	US-			

### FOREIGN PATENT DOCUMENTS

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		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	F1	WO 90/12030	10-18-1990	Wash St. U. Res. Found Inc.		
	F2	WO 98/16554	04-23-1998	Univ. of Florida		
	F3	WO 99/13720	03-25-1999	The Ohio St. Univ.		
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Examiner Name	Padmavathi Baskar
Attorney Docket Number	UF-299XC1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R1	BENOIST, <i>et al.</i> , "In vivo Sequence Requirements of the SV40 Early Promoter Region," <i>Nature</i> , 1981, 290:304-310. Pub: Macmillan Journals Ltd.	
	R2	BIANCHI, <i>et al.</i> , "Biosensor technology and surface plasmon resonance for real-time detection of HIV-1 genomic sequences amplified by polymerase chain reaction", <i>Clin. Diagn. Virol.</i> , 1997, 8:199-208	
	R3	BOWIE, <i>et al.</i> , "Potential Value of Major Antigenic Protein 2 for Serological Diagnosis of Heartwater and Related Ehrlichial Infections," <i>Clinical and Diagnostic Laboratory Immunology</i> , 1999, 6(2):209-215. Pub: American Society for Microbiology.	
	R4	BREITSCHWERDT, <i>et al.</i> , "Doxycycline Hyclate Treatment of Experimental Canine Ehrlichiosis Followed By Challenge Inoculation with Two <i>Ehrlichia canis</i> Strains," <i>Antimicrobial Agents and Chemotherapy</i> , 1998, 42(2):362-368. Pub: American Society for Microbiology.	
	R5	BRINSTER, <i>et al.</i> , "Regulation of Metallothionein-Thymidine Kinase Fusion Plasmids Injected into Mouse Eggs," <i>Nature</i> , 1982, 296:39-42. Pub: Macmillan Journals Ltd.	
	R6	BROUQUI, <i>et al.</i> , "Serologic Diagnosis of Human Monocytic Ehrlichiosis by Immunoblot Analysis," <i>Clinical &amp; Diagnostic Laboratory Immunology</i> , 1994, 1(6):645-9. Pub: American Society for Microbiology.	
	R7	BURGESS, <i>et al.</i> , "Possible Dissociation of the Heparin-Binding and Mitogenic Activities of Heparin-Binding (Acidic Fibroblast) Growth Factor-1 from Its Receptor-Binding Activities by Site-Directed Mutagenesis of a Single Lysine Residue," <i>J. Cell Biol.</i> , 1990, 111:2129-2138. Pub: The Rockefeller University Press.	
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	R9	CLARKE, <i>et al.</i> , "A Colony Bank Containing Synthetic ColEI Hybrid Plasmids Representative of the Entire <i>E. Coli</i> Genome," <i>Cell</i> , 1976, 9:91-99. Pub: MIT.	
	R10	COX, <i>et al.</i> , "Bovine Herpesvirus 1: Immune Responses in Mice and Cattle Injected with Plasmid DNA," <i>J. Virol.</i> , 1993, 67(9):5664-5667. Pub: American Society for Microbiology.	
	R11	DANKO, <i>et al.</i> , "Direct Gene Transfer into Muscle," <i>Vaccine</i> , 1994, 12(16):1499-1502. Pub: Butterworth-Heinemann Ltd.	
	R12	DE BOER, <i>et al.</i> , "The Tac Promoter: A Functional Hybrid Derived from the trp and lac Promoters," <i>Proc. Natl. Acad. Sci. U.S.A.</i> , 1983, 80:21-25. Pub: National Academy of Sciences.	
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Group Art Unit	1641
Examiner Name	Padmavathi Baskar
Attorney Docket Number	UF-299XC1

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TECH CENTER 1600 P290**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R14	DUMLER, <i>et al.</i> , "Reorganization of genera in the Families Rickettsiaceae and Anaplasmataceae in the order of Rickettsiales. Unification of Some Species of <i>Ehrlichia</i> with <i>Anaplasma</i> , <i>Cowdria</i> with <i>Ehrlichia</i> and <i>Ehrlichia</i> with <i>Neorickettsia</i> . Descriptions of six new Species Combinations and Designation of <i>Ehrlichia equi</i> and 'HGE agent' as Subjective Synonyms of <i>Ehrlichia phagocytophila</i> ," <i>Int. J. Syst. Evol. Microbiol.</i> , 2001, 51(Pt 6): 2145-65; Pub: in Great Britain.	
	R15	DU PLESSIS, J. L., "Immunity in Heartwater: I. A Preliminary Note on the Role of Serum Antibodies," <i>Onderstepoort J. vet Res.</i> , 1970, 37(3): 147-150; Pub: Heer Printing Company (Pty) Ltd. for the Gov't Printer, Pretoria, Republic Of South Africa	
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	R17	GARDNER, <i>et al.</i> , "The Complete Nucleotide Sequence of an Infectious Clone of Cauliflower Mosaic Virus by M13mp7 Shotgun Sequencing," <i>Nucl. Acids Res.</i> , 1981, 9(12): 2871-2888; Pub: IRL Press Ltd., U.K.	
	R18	HELMICK, <i>et al.</i> , "Rocky Mountain Spotted Fever: Clinical, Laboratory, and Epidemiological Features of 262 Cases," <i>J. Infect. Dis.</i> , 1984, 150(4): 480-8; Pub: The University of Chicago.	
	R19	HENDRIX, <i>et al.</i> , "Cloning and Sequencing of <i>Coxiella burnetii</i> Outer Membrane Protein Gene <i>com1</i> ," <i>Infection and Immunity</i> , 1993, 61(2): 470-477; Pub: American Society for Microbiology.	
	R20	HERRERA-ESTRELLA, <i>et al.</i> , "Expression of Chimaeric Genes Transferred into Plant Cells Using a Ti-Plasmid-Derived Vector," <i>Nature</i> , 1983, 303: 209-213; Pub: Macmillan Journals Ltd	
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	R22	HIGGINS, <i>et al.</i> , "Using CLUSTAL for Multiple Sequence Alignments," <i>Methods in Enzymol.</i> , 1996, 266: 383-402; Pub: Academic Press, Inc.	
	R23	KELLY, <i>et al.</i> , "Serological Evidence for Antigenic Relationships Between <i>Ehrlichia canis</i> and <i>Cowdria ruminantium</i> ," <i>Res. Vet. Sci.</i> , 1994, 56: 170-4; Pub: Unknown.	
	R24	LALLY, <i>et al.</i> , "The <i>Cowdria ruminantium groE</i> operon," <i>Microbiology</i> , 1995, 141: 2091-2100; PUB: SGM in Great Britain.	
	R25	LAZAR, <i>et al.</i> , "Transforming Growth Factor $\alpha$ Mutation of Aspartic Acid 47 and Leucine 48 Results in Different Biological Activities," <i>Molecular and Cellular Biology</i> , 1988, 8(3): 1247-52; Pub: American Society for Microbiology.	
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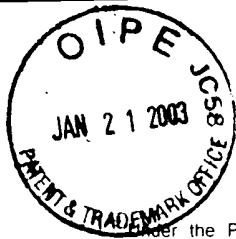
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Examiner Name	Padmavathi Baskar
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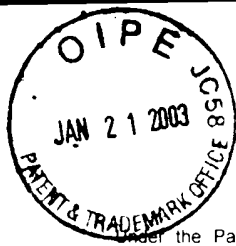
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	R27	MAHAN, <i>et al.</i> , "An Immunoblotting Diagnostic Assay for Heartwater Based on the Immunodominant 32-Kilodalton Protein of <i>Cowdria ruminantium</i> Detects False Positives in Field Sera," <i>J. Clin. Microbiol.</i> , 1993, 31(10):2729-2737; Pub: American Society for Microbiology	
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	R29	MAHAN, <i>et al.</i> , "Comparison of Efficacy of American and African <i>Amblyomma</i> Ticks as Vectors of Heartwater ( <i>Cowdria ruminantium</i> ) Infection by Molecular Analyses and Transmission Trials," <i>J. Parasitol.</i> , 2000, 86(1):44-49; Pub: American Society of Parasitologists	
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	R31	MCGUIRE, <i>et al.</i> , "Recombinant Vaccinia Virus Expression of <i>Anaplasma marginale</i> surface protein MSP-1a: Effect of Promoters, Leader Sequences and GPI Anchor Sequence on Antibody Response," <i>Vaccine</i> , 1994, 12(5):465-471; Pub: Butterworth-Heinemann Ltd	
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	R34	OGERT, <i>et al.</i> , "Detection of Cocaine Using the Flow Immunosensor," <i>Analytical Letters</i> , 1992, 25(11):1999-2019; Pub: Marcel Dekker, Inc.	
	R35	PEARSON, <i>et al.</i> , "Improved Tools for Biological Sequence Comparison," <i>Proc. Natl. Acad. Sci. USA</i> , 1988, 85(8):2444-2448; Pub: National Academy of Sciences	
	R36	REDDY, <i>et al.</i> , "Sequence Heterogeneity of the Major Antigenic Protein 1 Genes from <i>Cowdria ruminantium</i> Isolates from Different Geographical Areas," <i>Clinical and Diagnostic Laboratory Immunology</i> , 1996, 3(4):417-422; Pub: American Society for Microbiology	
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	R38	RURANGIRWA, <i>et al.</i> , "Restriction of Major Surface Protein 2 (MSP2) Variants During Tick Transmission of the Ehrlichia <i>Anaplasma marginale</i> ," <i>Proc. Natl. Acad. Sci. USA</i> , 1999, 96:3171-76; Pub: Unknown.	

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	R39	SCHENA, et al., "Genome Analysis with Gene Expression Microarrays," <i>BioEssays</i> , 1996, 18(5) 427-31; Pub: ICSU Press.	
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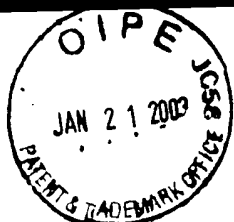
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Application Number	10/081,051
Filing Date	February 20, 2002
First Named Inventor	Anthony F. Barbet
Group Art Unit	1641
Examiner Name	Padmavathi Baskar
Attorney Docket Number	UF-299XC1

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	R52	VISHWANATH, S., <i>et al.</i> , "A Recombinant <i>Rickettsia conorii</i> Vaccine Protects Guinea Pigs from Experimental Boutonneuse Fever and Rocky Mountain Spotted Fever," <i>Infection and Immunity</i> , 1990, 58(3): 646-53; Pub: American Society for Microbiology	
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